

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ANTHONY D. GORDON,

Defendant.

8:17CR290

ORDER

This matter is before the Court on defendant Anthony D. Gordon's ("Gordon") Amended Motion to Suppress (Filing No. 20) "all evidence obtained as the result of the unlawful seizure of his person" following a traffic stop on August 4, 2017, in Omaha, Nebraska. *See* U.S. Const. amend. IV. On January 5, 2018, the magistrate judge¹ issued his Amended Findings and Recommendation (Filing No. 38) pursuant to 28 U.S.C. § 636(b)(1) recommending the Motion be denied on multiple grounds. The magistrate judge advised the parties (1) they had fourteen days to object to his findings and recommendation and (2) failing "to timely object may constitute a waiver of any such objection." Neither party filed any objections within the time permitted.

Section 636(b)(1) requires this Court to "make a de novo review of . . . specified proposed findings or recommendations to which objection is made." Absent any objection, however, further review is unnecessary. *See Peretz v. United States*, 501 U.S. 923, 939 (1991); *Leonard v. Dorsey & Whitney LLP*, 553 F.3d 609, 619-20 (8th Cir. 2009) ("[T]he failure to file objections eliminates not only the need for de novo review, but *any* review by the district court."); *see also* Fed. R. Crim. P. 59 (a), (b)(2) (explaining the failure to timely object waives the right to review); NECrimR 59.2(a), (e).

In light of the absence of any objections to the magistrate judge's findings and recommendation,

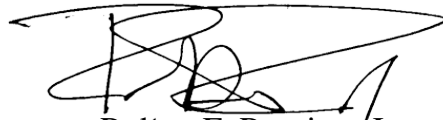
¹The Honorable Michael D. Nelson, United States Magistrate Judge for the District of Nebraska.

IT IS ORDERED:

1. The Amended Findings and Recommendation (Filing No. 38) are accepted in their entirety. Any objections are deemed waived.
2. Defendant Anthony D. Gordon's Amended Motion to Suppress (Filing No. 20) is denied.

Dated this 22nd day of January, 2018.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'R. Rossiter, Jr.', with a large, sweeping horizontal stroke above the name.

Robert F. Rossiter, Jr.
United States District Judge